

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-20 are pending in the present application. Claims 1, 7, 13, 15, 16 and 18-20 are amended by way of the present amendment.

Support for the amendments to the claims can be found, at least, in Figures 2, 3, 4, 8 and 10, page 16, lines 13-16, page 21, lines 10-18 and page 25-26. Thus, no new matter is added.

In the outstanding Office Action, Claims 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16 and 18-20 were rejected under 35 U.S.C. §102(b) as anticipated by Shurts (U.S. Pat. No. 5,572,673); Claims 2, 8, 14 and 17 were rejected under 35 U.S.C. §103(a) as unpatentable over Shurts; and Claims 5 and 11 were rejected under 35 U.S.C. §103(a) as unpatentable over Shurts in view of Timmer (U.S. Pat. Pub. No. 2002/0107895).

With respect to the information disclosure statement filed on 12/5/2006, Applicants respectfully traverse the use of strike-through on references AO and AW on the 1449 form and corresponding comments on page 2 of the outstanding Action.

M.P.E.P. §609.04(a)(III) states "where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report."

In the IDS filed 12/5/2006 Applicants included an English language translation of the Japanese Office Action of July 4, 2005 which indicates the degree of relevance found by the

foreign office for both the "AO" and "AW" references. Therefore, Applicants respectfully request that the IDS of 12/5/2006 be considered without the use of strike-through.

Before turning to the outstanding prior art rejections, it is believed that a brief review of the present invention would be helpful.

In a non-limiting example, illustrated in Figure 10 two users, "A" and "B", are able to exchange information and foster human relations using the present invention. For instance, the information communication device "A" may have visited a movie theatre earlier in the week. During this visit, the name of the movie and the location of the theatre are entered into the metadata storage unit of the user's information communication device "A" automatically by a wireless transmitter located at the theatre. Because the user "A" has programmed the security table of his information communication device as is shown in Figure 5, the movie theatre transmitter is able to deliver metadata to the information communication device of user "A" and store it in a partition of the device corresponding to security level 1. User "B" may have also watched the same movie at a different location two weeks ago and metadata relating to the movie was also entered into security level 1 of user "B"'s information communication device. As shown in Figure 10, when user "A" and user "B" both enter the room which includes device "C", device "C" scans the publicly available partitions (corresponding to security level 1 for instance) of each information communication device. The device "C" then matches the movie seen by user "A" and "B" and displays a notification letting user "B" know that user "A" has seen the movie and notifying "A" that user "B" has seen the movie. This allows users "A" and "B" to know which users they have things in common with such as they have been to the same parties or they have seen the same movies.

With respect to the rejection of Claims 1-4, 6-10 and 12-20 under 35 U.S.C. § 102(b) as anticipated by Shurts, Applicant respectfully traverses this rejection.

Amended Claim 1 recites, in part,

a wireless communication unit which transmits and receives wireless communication data;

a metadata storage unit which stores, in the mobile communications device, metadata relating to activities and interests of a user of the mobile communication device; and

a central control unit which manages the storage of metadata in said metadata storage unit, wherein said central control unit;

partitions said metadata storage unit by security level and category,

stores metadata received through said wireless communication unit in a corresponding partition of the metadata storage unit based on matching the received metadata with a security level and/or category predetermined by the user, and

supplies, in response to an external access request, metadata from the metadata storage unit that matches a security level available to the external access request

Claim 7 recites similar features.

Shurts describes a database which allows security settings to be included with different database objects such as database tables or rows. In addition, Shurts describes that attributes of database object (such as table ID or owner) can be included in the database.

The outstanding Action states on pages 2-3 in "Response to Arguments" that "Shurts suggests a metadata storage unit. Per column 6 lines 1 to 15, the metadata includes the owner of the data. Therefore, Shurts' stored metadata relates to the user of data, who uses the communication device to send his data."

Claim 1 has been amended to recite a metadata storage unit which stores, in the mobile communications device, metadata relating to activities and interests of a user of the mobile communication device.

Shurts clearly does not describe metadata relating to activities and interests of a user of the mobile communication device. First, Shurts does not describe a mobile communications device, the database of Shurts is located on a stationary server, see Figure 5 of Shurts. In addition, Shurts makes no mention of metadata relating to activities and interests of the user. In fact, such data would be totally incompatible with the system of Shurts.

Column 6, lines 1-6 of Shurts states “[a] ‘system catalog’ is a system table containing metadata (i.e. *information about data in the system*). Preferably the metadata is provided in tuples or rows for certain database objects. Each catalog row may include *various attributes of a database object* such as its object name, internal ID, owner, type...” (emphasis added).

In other words, the “metadata” of Shurts is information *about the database objects* such as the name of the owner or the name of the object. Information *about activities and interests of the user* of a mobile device would not be useful or compatible in the system of Shurts.

Accordingly, as Shurts does not describe every feature of the present invention as recited in Claim 1, Claim 1 and similarly Claim 7 and claims depending therefrom patentably distinguish over Shurts.

In addition, the further cited Timmer reference does not cure the above noted deficiencies of Shurts with regard to Claims 1 and 7.

Accordingly, Applicants respectfully submit that Claims 1 and 7 and claims depending therefrom patentable distinguish over Shurts and Timmer individually or in combination.

Turning now to the rejection of Claim 13 under 35 U.S.C. §102(e) as anticipated by Shurts.

Amended Claim 13 recites, in part,

a plurality of mobile information communication devices each including:

a wireless communication unit which transmits and receives wireless communication data,

a metadata storage unit which stores, in the mobile communications device, metadata relating to activities and interests of a user of the mobile communication device, and

a central control unit which manages the storage of metadata in said metadata storage unit; and

at least one stationary communication device configured to acquire metadata from each mobile information

communication device via a wireless transmission, compare the acquired metadata and display the result of the comparison.

As noted above, Shurts merely describes a secure database. Shurts clearly does not describe or suggest a plurality of mobile information communication devices and at least one stationary communication device. In addition, as discussed above Shurts does not describe or suggest a metadata storage unit which stores, in the mobile communications device, metadata relating to activities and interests of a user of the mobile communication device.

Further, Shurts also clearly does not describe that a stationary communication device acquires metadata from each mobile information communication device via a wireless transmission, compares the acquired metadata and displays the result of the comparison.

In other words, Shurts merely describes a database stored on a server; there is no discussion or suggestion of the mobile devices. In addition, there is no discussion of acquiring and comparing metadata from the mobile devices. The email system of Timmer is not equivalent to acquiring and comparing metadata from the mobile devices.

Thus, any combination of Shurts and Timmer could not provide the advantages of the present invention of furthering physical world human relations through use of virtual world technology. Therefore, Applicants respectfully submit that Claim 13 and claims depending therefrom patentably distinguish over the cited Shurts and Timmer references.

Turning now to the rejection of Claim 16 under 35 U.S.C. §102(e) as anticipated by Shurts.

Amended Claim 16 recites, in part,

transmitting metadata to a plurality of mobile communications devices at a plurality of different physical locations, the metadata relating to activities and interests of a user of each mobile communication device;

authenticating each mobile communication device within range of a stationary communication device with the stationary communication device;

- uploading the metadata from the authenticated mobile communication devices to the stationary communication device;
- comparing the uploaded metadata to find matching activities and interests;
- displaying the matching activities and interests and corresponding users discovered by the comparing;
- deleting the uploaded metadata from the stationary communications device

As noted above, Shurts merely describes a secure database. Shurts clearly does not describe or suggest the steps recited in Claim 16 above. Shurts nowhere describes transmitting metadata to a plurality of mobile communications devices. As noted above, Shurts does not describe that the metadata relates to activities and interests of a user of each mobile communication device. Shurts does not describe authenticating each mobile communication device within range of a stationary communication device with a stationary communication device or uploading the metadata from the authenticated mobile communication devices to the stationary communication device. There is no step of comparing metadata recited in Shurts nor is there a step of displaying the result of the comparing.

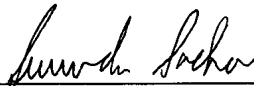
Therefore Applicants respectfully submit that, for at least the above noted reasons, Claim 16, and claims depending therefrom, patentably distinguishes over Shurts.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after Final Rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome outstanding rejections under 35 U.S.C. §102(e) and §103(a), the present amendment places the application in better form for consideration on appeal. In addition, the present amendment is not believed to raise new issues. It is therefore respectfully requested that 37 C.F.R. §1.116 be liberally construed, and that the present amendment be entered.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance.

Respectfully submitted,

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